

# United States Bankruptcy Court

## Eastern District of Virginia

# Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle):

**Roper Brothers Lumber Company, Incorporated**

Name of Joint Debtor (Spouse) (Last, First, Middle):

All Other Names used by the Debtor in the last 8 years  
(include married, maiden, and trade names):All Other Names used by the Joint Debtor in the last 8 years  
(include married, maiden, and trade names):Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN  
(if more than one, state all)**54-0363050**Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN  
(if more than one, state all)

Street Address of Debtor (No. and Street, City, and State):

**130 Pocahontas Street  
Petersburg, VA**

ZIP Code

**23803**

Street Address of Joint Debtor (No. and Street, City, and State):

ZIP Code

County of Residence or of the Principal Place of Business:

**Chesterfield**

County of Residence or of the Principal Place of Business:

Mailing Address of Debtor (if different from street address):

ZIP Code

Mailing Address of Joint Debtor (if different from street address):

ZIP Code

Location of Principal Assets of Business Debtor  
(if different from street address above):**Type of Debtor**

(Form of Organization)

(Check one box)

- ☐ Individual (includes Joint Debtors)  
*See Exhibit D on page 2 of this form.*
- ☒ Corporation (includes LLC and LLP)
- ☐ Partnership
- ☐ Other (If debtor is not one of the above entities,  
check this box and state type of entity below.)

**Nature of Business**

(Check one box)

- ☐ Health Care Business
- ☐ Single Asset Real Estate as defined  
in 11 U.S.C. § 101 (51B)
- ☐ Railroad
- ☐ Stockbroker
- ☐ Commodity Broker
- ☐ Clearing Bank
- ☒ Other

**Tax-Exempt Entity**

(Check box, if applicable)

- ☐ Debtor is a tax-exempt organization  
under Title 26 of the United States  
Code (the Internal Revenue Code).

**Chapter of Bankruptcy Code Under Which****the Petition is Filed (Check one box)**

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11
- ☐ Chapter 12
- ☐ Chapter 13
- ☐ Chapter 15 Petition for Recognition  
of a Foreign Main Proceeding
- ☐ Chapter 15 Petition for Recognition  
of a Foreign Nonmain Proceeding

**Nature of Debts**

(Check one box)

- ☐ Debts are primarily consumer debts,  
defined in 11 U.S.C. § 101(8) as  
"incurred by an individual primarily for  
a personal, family, or household purpose."
- ☒ Debts are primarily  
business debts.

**Filing Fee (Check one box)**

- ☒ Full Filing Fee attached
- ☐ Filing Fee to be paid in installments (applicable to individuals only). Must  
attach signed application for the court's consideration certifying that the debtor  
is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.
- ☐ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must  
attach signed application for the court's consideration. See Official Form 3B.

Check one box:

**Chapter 11 Debtors**

- ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).
- ☒ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).

Check if:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed  
to insiders or affiliates) are less than \$2,190,000.

Check all applicable boxes:

- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more  
classes of creditors, in accordance with 11 U.S.C. § 1126(b).

**Statistical/Administrative Information**

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.
- ☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid,  
there will be no funds available for distribution to unsecured creditors.

**Estimated Number of Creditors**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1-49	50-99	100-199	200-999	1,000-5,000	5,001-10,000	10,001-25,000	25,001-50,000	50,001-100,000	OVER 100,000

**Estimated Assets**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

**Estimated Liabilities**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion

THIS SPACE IS FOR COURT USE ONLY

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**Roper Brothers Lumber Company, Incorporated****All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

**- None -**

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X**

Signature of Attorney for Debtor(s)

(Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**Roper Brothers Lumber Company, Incorporated****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Debtor

**X** \_\_\_\_\_  
Signature of Joint Debtor

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

\_\_\_\_\_  
Date

**Signature of Attorney\***

**X** /s/ Roy M. Terry, Jr.  
Signature of Attorney for Debtor(s)

**Roy M. Terry, Jr. VSB No. 17764**

Printed Name of Attorney for Debtor(s)

**DuretteBradshaw PLC**

Firm Name

**600 E. Main Street, 20th Floor**  
**Richmond, VA 23219**

\_\_\_\_\_  
Address

**804.775.6900 Fax: 804.775.6911**

Telephone Number

**December 11, 2009**

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ Philip R. Roper, III  
Signature of Authorized Individual

**Philip R. Roper, III**

Printed Name of Authorized Individual

**Chairman**

Title of Authorized Individual

**December 11, 2009**

Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

**X** \_\_\_\_\_  
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

**United States Bankruptcy Court**  
**Eastern District of Virginia**

In re **Roper Brothers Lumber Company, Incorporated**

Debtor(s)

Case No.

Chapter **11**

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>Anderson Distribution</b> Attn: Sharon Ryan 1627 Ritner Hwy Carlisle, PA 17013	<b>Anderson Distribution</b> Attn: Sharon Ryan 1627 Ritner Hwy Carlisle, PA 17013			<b>217,120.54</b>
<b>Boise Building Solutions Dist.</b> Attn: Mike Nutile 500 Ross St. Room 154-0455 Pittsburgh, PA 15251	<b>Boise Building Solutions Dist.</b> Attn: Mike Nutile 500 Ross St. Room 154-0455 Pittsburgh, PA 15251			<b>77,367.47</b>
<b>BWI of VA, Inc.</b> Attn: AnnaMarie Courtet-Kovac 3000 Transport Street Richmond, VA 23234	<b>BWI of VA, Inc.</b> Attn: AnnaMarie Courtet-Kovac 3000 Transport Street Richmond, VA 23234			<b>61,845.07</b>
<b>CMI</b> Attn: Liza Beidleman 9012 Paysphere Circle Chicago, IL 60674	<b>CMI</b> Attn: Liza Beidleman 9012 Paysphere Circle Chicago, IL 60674			<b>96,785.55</b>
<b>Diamond Hill Plywood Co.</b> Attn: Bobby Godmold 600 E. Broad Street Darlington, SC 29532	<b>Diamond Hill Plywood Co.</b> Attn: Bobby Godmold 600 E. Broad Street Darlington, SC 29532			<b>66,160.80</b>
<b>Dyke Industries Inc. Bldg Matl</b> Attn: Joann 653 Instrument Drive Rocky Mount, NC 27804	<b>Dyke Industries Inc. Bldg Matl</b> Attn: Joann 653 Instrument Drive Rocky Mount, NC 27804			<b>50,003.01</b>
<b>Endura Products, Inc.</b> Attn: Mariam Boratyn 8817 W. Market Street Colfax, NC 27235	<b>Endura Products, Inc.</b> Attn: Mariam Boratyn 8817 W. Market Street Colfax, NC 27235			<b>49,468.50</b>
<b>Glaize Components</b> Attn: Debbie Lemaster 296 Arbor Court Winchester, VA 22602	<b>Glaize Components</b> Attn: Debbie Lemaster 296 Arbor Court Winchester, VA 22602			<b>73,512.45</b>
<b>Glaize Properties</b> Attn: Sherry Russell P.O. Box 2077 Winchester, VA 22604	<b>Glaize Properties</b> Attn: Sherry Russell P.O. Box 2077 Winchester, VA 22604			<b>75,000.00</b>

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>Jeld-Wen Millwork Distribution</b> Attn: Beverly 205 Lanes Drive North Wilkesboro, NC 28659	<b>Jeld-Wen Millwork Distribution</b> Attn: Beverly 205 Lanes Drive North Wilkesboro, NC 28659			<b>61,086.56</b>
<b>Masonite Corporation</b> Attn: Tracy Smith 7300 Reames Road Charlotte, NC 28216	<b>Masonite Corporation</b> Attn: Tracy Smith 7300 Reames Road Charlotte, NC 28216			<b>106,555.44</b>
<b>MI Windows and Doors, Inc.</b> P.O. Box 370 Gratz, PA 17030	<b>MI Windows and Doors, Inc.</b> P.O. Box 370 Gratz, PA 17030			<b>109,929.58</b>
<b>Middle Atlantic Wholesale</b> Attn: Chip Luera 10220 S. Dolfield Rd, #106 Owings Mills, MD 21117	<b>Middle Atlantic Wholesale</b> Attn: Chip Luera 10220 S. Dolfield Rd, #106 Owings Mills, MD 21117			<b>145,194.02</b>
<b>Moulding &amp; Millwork, Inc.</b> Attn: Chrisitne Ortiz 9325-A Snowden River Parkway Columbia, MD 21046	<b>Moulding &amp; Millwork, Inc.</b> Attn: Chrisitne Ortiz 9325-A Snowden River Parkway Columbia, MD 21046			<b>124,537.91</b>
<b>MW Manufacturers, Inc.</b> Attn: Pam 433 N. Main Street Rocky Mount, VA 24151	<b>MW Manufacturers, Inc.</b> Attn: Pam 433 N. Main Street Rocky Mount, VA 24151			<b>105,155.58</b>
<b>Rocco Building Supplies, LLC</b> 560 Pleasantvalley Road Harrisonburg, VA 22801	<b>Rocco Building Supplies, LLC</b> 560 Pleasantvalley Road Harrisonburg, VA 22801			<b>37,888.41</b>
<b>Seaboard International Forest Products, Inc.</b> 22F Cotton Road Nashua, NH 03063	<b>Seaboard International Forest Products, Inc.</b> 22F Cotton Road Nashua, NH 03063			<b>110,606.41</b>
<b>Shenandoah Sash &amp; Door Co.</b> 37240 E. Richardson Lane Purcellville, VA 20134	<b>Shenandoah Sash &amp; Door Co.</b> 37240 E. Richardson Lane Purcellville, VA 20134			<b>44,421.97</b>
<b>The Empire Company, Inc.</b> Attn: Heidi Heigland 8181 Logistic Drive Zeeland, MI 49464	<b>The Empire Company, Inc.</b> Attn: Heidi Heigland 8181 Logistic Drive Zeeland, MI 49464			<b>274,892.07</b>
<b>U.S. Lumber Group, Inc.</b> Attn: Christy Carpenter 140 North Tech Drive Clayton, NC 27520	<b>U.S. Lumber Group, Inc.</b> Attn: Christy Carpenter 140 North Tech Drive Clayton, NC 27520			<b>172,679.12</b>

In re **Roper Brothers Lumber Company, Incorporated**

Debtor(s)

Case No. \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(Continuation Sheet)

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Chairman of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date **December 11, 2009**

Signature **/s/ Philip R. Roper, III**

**Philip R. Roper, III**  
**Chairman**

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court  
Eastern District of Virginia**

In re **Roper Brothers Lumber Company, Incorporated**,  
Debtor

Case No. \_\_\_\_\_

Chapter **11**

**LIST OF EQUITY SECURITY HOLDERS**

Following is the list of the Debtor's equity security holders which is prepared in accordance with Rule 1007(a)(3) for filing in this chapter 11 case.

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
<b>Philip R. Roper, III 130 Pocahontas Street Petersburg, VA 23803</b>		<b>100%</b>	<b>Common Stock</b>

**DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP**

I, the Chairman of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date **December 11, 2009**

Signature **/s/ Philip R. Roper, III**  
**Philip R. Roper, III**  
**Chairman**

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C §§ 152 and 3571.

**United States Bankruptcy Court  
Eastern District of Virginia**

In re **Roper Brothers Lumber Company, Incorporated**

Debtor(s)

Case No.

Chapter

**11**

**CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)**

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **Roper Brothers Lumber Company, Incorporated** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [*Check if applicable*]

**December 11, 2009**

Date

**/s/ Roy M. Terry, Jr.**

**Roy M. Terry, Jr.**

Signature of Attorney or Litigant

Counsel for **Roper Brothers Lumber Company, Incorporated**

**DurretteBradshaw PLC**

**600 E. Main Street, 20th Floor**

**Richmond, VA 23219**

**804.775.6900 Fax:804.775.6911**